

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 11776 PERMIT 6896 LICENSE 3516

ORDER CORRECTING THE POINTS OF DIVERSION

WHEREAS:

1. License 3516 was issued to Estate of Peter Poncia and was filed with the County Recorder of Tehama County on May 9, 1952.
2. A request to correct the description of the points of diversion under said license has been filed with the State Water Resources Control Board.
3. The USGS 7.5' Quadrangle map Kirkwood photorevised 1969 shows the points of diversion as being approximately 2500' farther East than originally described. License 3516 describes the same points of diversion as being within the the Western $\frac{1}{2}$ of Section 34. Corrections in the descriptions of the points of diversion under said license are needed to conform the description with the location on the photorevised quadrangle map.
4. The State Water Resources Control Board has determined that said corrections in the descriptions of the points of diversion will not initiate a new right nor operate to the injury of any other lawful user of the water and that good and sufficient cause has been shown for said corrections.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Points of diversion under License 3516 be described as follows:
 - (a) 2,700 feet West of Southeast corner and on South boundary of Section 34, T23N, R3W, MDB&M.
 - (b) 1,600 feet North and 1,250 feet West of Southeast corner of Section 34, T23N, R3W, MDB&M, being within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 34.
 - (c) 500 feet South and 1,500 feet West of Northeast corner of Section 34, T23N, R3W, MDB&M, being within the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 34.

Dated FEBRUARY 16 1982

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 11776

PERMIT 6896

LICENSE 3516

THIS IS TO CERTIFY, That Estate of Peter Poncia
Route 2, Box 227
Orland, California

has made proof as of May 9, 1951
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
Gay Creek in Tehama County
tributary to Sacramento River

for the purpose of irrigation and stockwatering uses
under Permit 6896. of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from March 13, 1947;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed one (1) cubic foot per second
to be diverted as follows: (a) from about April 1 to about November 1 of each
year for irrigation purposes and (b) throughout the year as required for stock-
watering purposes.

The equivalent of such continuous flow allowance for any thirty day period
may be diverted in a shorter time if there be no interference with other vested
rights.

The points of diversion of such water are located as follows:

- (a) Adjacent to SW corner of Section 34, T 23 N, R 3 W, M.D.B.&M., being within
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ (Lot 109) of said Section 34.
- (b) North one thousand three hundred twenty (1320) feet and East one thousand
three hundred (1300) feet from SW corner of Section 34, T 23 N, R 3 W, M.D.B.&M.,
being within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ (Lot 103) of said Section 34.
- (c) South six hundred sixty (660) feet and West one thousand five hundred
twenty (1520) feet from N $\frac{1}{4}$ corner of Section 34, T 23 N, R 3 W, M.D.B.&M., being
within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 34.

A description of the lands or the place where such water is put to beneficial use is as follows: 76.5 acres
within W $\frac{1}{2}$ of Section 34, T 23 N, R 3 W, M.D.B.&M., as shown on map filed with
State Engineer.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion
herein specified and to the lands or place of use herein described.

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This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 30th
day of April, 1952


A. D. EDMONSTON, State Engineer



LICENSE 3516

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO Estate of Peter Poncia

DATED APR 30 1952

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